



10/21/01
JC841 U.S. PTO

31-16-01

A/155

REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No: 29627/36393

jc841 U.S. PTO
09/759823
01/12/01

REISSUE PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. 1.171 ET SEQ.

*Box Patent Application
Commissioner for Patents
Washington, D.C. 20231*

Sir:

Transmitted herewith for filing is the REISSUE patent application of

Inventor(s): Lowell R. Tully, Dave Konieczny, Stephen R. Estes, and Stephen A. Johnson.

Title: ANGULAR ORIENTATION CONTROL SYSTEM FOR FRICTION WELDING

1. Type of Application

This is an application for reissue of U.S. Patent No. 5,858,142 issued on January 12, 1999.

2. Application Papers Enclosed

1. 8 Pages of Specification (excluding Claims, Abstract, Drawings & Sequence Listing)
2. 5 Page(s) of Claims
3. 1 Page(s) of Abstract
4. 7 Sheet(s) of Drawings (Figs. 1 to 7); no changes to the drawings upon which the original patent issued are to be made. Therefore, in accordance with 37 CFR 1.174, please find attached a copy of the printed drawings of the patent, containing Figs. 1 to 7, and Appendix A (3 pages).
5. Power of Attorney and Revocation of Prior Powers
6. Assignee's Consent to Reissue Filing and Offer to Surrender Original Patent
7. Certificate Under 37 CFR 3.73(b)
8. Reissue Declaration
9. Petition Under 37 CFR 1.47(a)

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Patent Application Transmittal and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on January 12, 2001, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No.EL564457959US .

Laura Frasher
Laura Frasher

Return receipt postcard

7. Filing Fee Calculation (37 CFR 1.16)

A. Utility Application

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| CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY) | | | | | | |
|---|-----------|-----------|--------------|----------|---------------------------|----------|
| | | | SMALL ENTITY | | OTHER THAN A SMALL ENTITY | |
| | NO. FILED | NO. EXTRA | RATE | Fee | RATE | Fee |
| BASIC FEE | | | | \$355.00 | | \$710.00 |
| TOTAL | 25 -20 | = 5 | X 9 = | \$ | X 18 = | \$90.00 |
| INDEP. | 3 - 3 | = 0 | X 40 = | \$ | X 80 = | \$0.00 |
| <input type="checkbox"/> First Presentation of Multiple Dependent Claim | | | + 135 = | \$ | + 270 = | \$ |
| Filing Fee: | | | | \$ | OR | \$800.00 |

B. Design Application (\$160.00/\$320.00) Filing Fee: \$ _____

C. Plant Application (\$245.00/\$490.00) Filing Fee: \$ _____

D. Other Fees

Recording Assignment [Fee -- \$40.00 per assignment] \$ _____

Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached [Fee -- \$130.00] \$ 130.00 _____

Other \$ _____

Total Fees Enclosed \$930.00

8. Method of Payment of Fees

Enclosed check in the amount of: \$930.00

Charge Deposit Account No. 13-2855 in the amount of: \$ _____
A copy of this Transmittal is enclosed.

Not enclosed

9. Deposit Account and Refund Authorization

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 or under other applicable rules (except payment of issue fees), to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

Please refund any overpayment to Marshall, O'Toole, Gerstein, Murray & Borun at the address below.

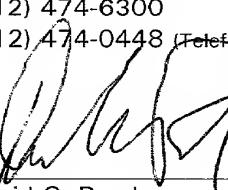
10. Correspondence Address

Customer No.: 04743

Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,
MURRAY & BORUN
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Chicago, Illinois 60606-6402
(312) 474-6300
(312) 474-0448 (Telefacsimile)

By:



David C. Read
Reg. No: 39,811

January 12, 2001

2. IFW believes Lowell R. Tully, Stephen A. Johnson, Dave Konieczny, and Stephen R. Estes are the inventors of the invention described and claimed in U.S. Patent No. 5,858,142 and in the referenced accompanying reissue application.

3. IFW as assignee of the entire right, title and interest in and to U.S. Patent No. 5,858,142 consents to the filing of the referenced accompanying reissue application seeking the reissue of this patent.

4. IFW further offers to surrender the original patent upon reaching agreement as to the allowability of the referenced accompanying reissue application.

5. IFW further declares that all statements made herein on the knowledge of the undersigned are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the referenced accompanying reissue application or any reissue patent granted thereon.

Respectfully submitted,

INERTIA FRICTION WELDING, INC.

By:


Lowell R. Tully
President

Dated:

01-11-01

Chicago, Illinois

PATENT
DOCKET NO. 29627/36393

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

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01/12/01

Laura Frasher
Laura Frasher

CERTIFICATE UNDER 37 CFR §3.73(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

INERTIA FRICTION WELDING, INC. (hereinafter "IFW"), an Indiana corporation, having its principal place of business in South Bend, Indiana, 46624, certifies that it is the assignee of the entire right, title and interest in and to U.S. Patent No. 5,858,142, issued January 12, 1999, in the names of Lowell R. Tully, Stephen A. Johnson, Dave Konieczny, and Stephen R. Estes, for ANGULAR ORIENTATION CONTROL SYSTEM FOR FRICTION WELDING and the referenced accompanying application for reissue thereof.

The chain of title from the inventors to IFW is evidenced by an assignment from each of the inventors, Lowell R. Tully, Stephen A. Johnson, Dave Konieczny, and Stephen R. Estes, to IFW which was recorded in the U.S. Patent and Trademark Office on December 9, 1997, at Reel 9222, Frame 0508. Copies of the Notice of Recordation of Assignment Document and the Assignment are attached hereto.

The undersigned has reviewed the attached assignment and certifies that, to the best of the undersigned's knowledge and belief, title to U.S. Patent No. 5,858,142 and the referenced accompanying application for reissue thereof is in IFW.

The undersigned is empowered to act on behalf of IFW.

Name: David C. Read
Registration No. 39,811

Capacity: Attorney for Assignee,
INERTIA FRICTION WELDING, INC.

Date: 1/12/01

Signature: 